

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

PHILLIP NELSON BURNS, et al.,

Plaintiffs,

Index No.: 114728/04

-against-

GRUPO MEXICO S.A. de C.V., et al.

Defendant(s)

ORDER WITH NOTICE OF ENTRY

SIRS:

PLEASE TAKE NOTICE, that the within is a true copy of an Order duly entered in the office of the clerk of the within named court on May 27, 2005.

Dated: New York, New York
May 31, 2005

TO: Clifford Thau, Esq.
David Lurie, Esq.
Vinson & Elkins LLP
Attorneys for Defendant
ERNST & YOUNG, LLP
666 Fifth Avenue - 26th Floor
New York, NY 10103

James A. Beha, II, Esq.
Winston & Strawn LLP
Attorneys for Defendant
JP MORGAN CHASE BANK, N.A.
200 Park Avenue
New York, NY 10166-4193

Roger J. Hawke, Esq.
Sidley Austin Brown & Wood LLP
Attorneys for Deft.
AMERICAN MINING CORPORATION
787 Seventh Avenue
New York, NY 10019

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: **BERNARD J. FRIED**
J.S.C. Justice

PART 60

0114728/2004

BURNS, PHILLIP NELSON
vs
GRUPO MEXICO S.A. DE C.V.INDEX NO. 114728-04
MOTION DATE 5/20/05
MOTION SEQ. NO. 3

SEQ 3

MOTION CALL NO. 2

OTHER RELIEFS

is motion to/for

PAPERS NUMBERED

Notice of Motion/Order to Show Cause — Affidavits — Exhibits

Answering Affidavits — Exhibits

Replying Affidavits

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion

CERTIFICATE OF JUSTICE FOR THE FOLLOWING REASONS:

This motion for admission pro hac vice of John M. Broaddus, Esq., is GRANTED

SO ORDERED

Dated: 5/26/05

FEB 27 2005
COUNTY CLERK'S OFFICE
NEW YORK

BERNARD J. FRIED J.S.C.

Check one: FINAL DISPOSITION NON FINAL DISPOSITIONCheck if appropriate: DO NOT POST REFERENCE

STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

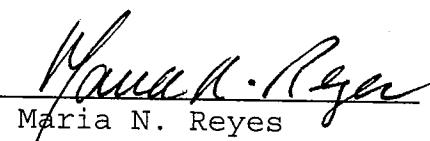
Maria N. Reyes, being duly sworn, deposes and says:
I am not a party to this action, I am over 18 years of age and
reside in Harriman, New York.

On, May 31, 2005 I served the within **ORDER WITH NOTICE OF ENTRY** on the attorneys listed below at the address designated by said attorneys for that purpose by depositing a true copy of same enclosed in a post paid properly addressed wrapper, and delivering same to our mail clerk, who in turn in the ordinary course of a business day, brought it to the mail room and then mailed same by delivering it in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

TO: Clifford Thau, Esq.
David Lurie, Esq.
VINSON & ELKINS, LLP
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ERNST & YOUNG, LLP
666 Fifth Avenue - 26th Floor
New York, New York 10103

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Roger J. Hawke, Esq.
SIDLEY AUSTIN BROWN & WOOD, LLP
Attorneys for Deft.
AMERICAN MINING CORPORATION
787 Seventh Avenue
New York, New York 10019


Maria N. Reyes

Sworn to before me this
31st day of May, 2005


Notary Public

NINA AIZMAN
Notary Public, State of New York
No. 01A15037161
Qualified in Kings County
Commission Expires December 31, 2006

Index No.

Year 20

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Defendants.

FILED

JUN 01 2005
NEW YORK
COUNTY CLERK'S OFFICE

ORDER WITH NOTICE OF ENTRY

WEITZ & LUXENBERG, P.C.

Attorneys for Plaintiffs

180 Maiden Lane
New York, NY 10038
(212) 558-5500

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: Signature:

Print Signer's Name:

Service of a copy of the within is hereby admitted.

Dated:
.....

Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

that the within is a (certified) true copy of a
entered in the office of the clerk of the within named Court on

20

NOTICE OF
ENTRYthat an Order of which the within is a true copy will be presented for settlement to the
Hon. one of the judges of the within named Court,SETTLEMENT
at

on

20 , at

M.

Dated:

WEITZ & LUXENBERG, P.C.

Attorneys for

To:

180 Maiden Lane
New York, NY 10038